

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

In the Matter of

DIRECTOR, DEPARTMENT OF LABOR  
AND INDUSTRIAL RELATIONS,

Complainant,

v.

PERMASTEELISA CLADDING  
TECHNOLOGIES, LTD.,

Respondent.

CASE NO. OSH 2007-20

ORDER NO. 267

PRETRIAL ORDER

PRETRIAL ORDER

Pursuant to the initial conference in this matter held by the Hawaii Labor Relations Board (Board) on October 11, 2007, and attended by Herbert B.K. Lau, Deputy Attorney General, for Complainant, and Alan K. Paperny, General Counsel, for Respondent via telephone, IT IS HEREBY ORDERED THAT:

A. The issues to be determined at trial are:

- (1) Whether Citation 1, Item 1, issued against Respondent on August 8, 2007, should be vacated because Respondent did not violate 29 CFR 1926.501(b)(1);
- (2) Whether Citation 1, Item 2a issued against Respondent on August 8, 2007, should be vacated because Respondent did not violate 29 CFR 1926.502 (a)(2);
- (3) Whether Citation 1, Item 2b, issued against Respondent on August 8, 2007, should be vacated because Respondent did not violate 29 CFR 1926.502(b)(2); and
- (4) Whether Citation 2, Item 1, issued against Respondent on August 8, 2007, should be vacated because Respondent can provide information that its employees did receive fall protection training.

- B. The deadline for the parties' final naming of witnesses is **December 20, 2007**.

Each party shall provide a list of the names of witnesses it plans to call at trial, along with each witness's addresses and the general subject to which the witness will testify, to the other party and to the Board by this date.

- C. The discovery cutoff date is **January 10, 2008**. All other discovery and information requests, including depositions and document requests, must be completed by this date.
- D. Trial in this matter is scheduled for **February 12-13, 2008, at 9:00 a.m.**, or as soon thereafter as this case can be heard, in the Board's hearing room located at 830 Punchbowl Street, Room 434, Honolulu, Hawaii, 96813. The trial may be continued by the Board until completed.
- E. Hereafter, this Pretrial Order shall control the course of proceedings and may not be amended except by consent of the parties and the Board, or by order of the Board.

DATED: Honolulu, Hawaii, October 11, 2007.

HAWAII LABOR RELATIONS BOARD



JAMES B. NICHOLSON, Chair



EMORY J. SPRINGER, Member



SARAH R. HIRAKAMI, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the trial date. Further, you are required to furnish a copy of this Order to a duly recognized representative of the employees, if any, at least five working days prior to the trial date.

DIRECTOR, DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS v.  
PERMASTEELISA CLADDING TECHNOLOGIES, LTD.  
CASE NO. OSH 2007-20  
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Copies sent to:

Herbert B.K. Lau, Deputy Attorney General  
Alan K. Paperny, General Counsel